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RESOURCE MANAGEMENT AGENCY

DAVID PRICE III, RMA DIRECTOR

Community & Economic Development Department

Engineering & Survey Services Department

Environmental Health Services Department

Planning Department

Roads Department

April 21, 2009

Department of Housing and Community Development
P.O. Box 952050
Sacramento, CA 94252-205

HOUSING POLICY
DEVELOPMENT, HCD

APR 24 2009

RE: Annual General Plan Report – 2008

Dear HCD Staff Member:

In compliance with Section 65400 of the California Government Code, the Kern County General Plan and the Metropolitan Bakersfield General Plan Implementation Annual Report is enclosed with this letter. A separate copy of this transmitted to the Office of Planning and Research.

Should you have any questions, please feel free to call me directly at (661) 862-8607.

Sincerely,

A handwritten signature in black ink that reads "Chris B. Mynk".

Christopher B. Mynk
Planner III

Encl

cc: Office of Planning and Research

**KERN COUNTY GENERAL PLANS
AND HOUSING ELEMENT
ANNUAL PROGRESS REPORT
(January 1, 2008 to December 31, 2008)**



Kern County Planning Department
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Ted James, AICP, Planning Director

April 2009

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1.0 Introduction

In compliance with Section 65400 of the California Government Code, this report has been prepared to summarize the status of the General Plans for Kern County's unincorporated areas and the steps that have been taken to amend and implement General Plan policies. Two General Plans govern Kern County, the Kern County General Plan and the Metropolitan Bakersfield General Plan which is shared with the City of Bakersfield. Both General Plans include numerous sub-area Specific Plans. This report includes a summary of the status of the two General Plans and the progress toward their implementation.

1.1 Objectives of the Kern County General Plan

- Encourage economic development that creates jobs and capital investments in urban and rural areas that benefits residents, businesses, and industries, as well as ensuring future governmental fiscal stability while encouraging new development to utilize existing infrastructure and services wherever feasible in the County's urban and rural areas.
- Adopt policies and goals that reflect the County's on-going commitment to consult and cooperate with federal, State, regional, and local agencies to plan for the long-term future of Kern County.
- Ensure the protection of environmental resources and the development of adequate infrastructure with specific emphasis on conserving agricultural areas, discouraging unplanned urban growth, ensuring water supplies and acceptable quality for future growth, and addressing air quality issues.
- Revise the County's General Plan to reflect ongoing activities, changes in laws and regulations, and demographic characteristics of the community to ensure that the interests of the County in the health, safety, and welfare of residents and visitors are reflected in current policies and goals.
- Maintain compliance with the provisions of State Planning and Zoning Laws as they relate to General Plan requirements.

BOARD OF SUPERVISORS
COUNTY OF KERN

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MARCH 31, 2009

TUESDAY - 2:00 P.M.

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RESOURCE MANAGEMENT AGENCY
Planning Department

Miscellaneous

All S.D.'s

CA-12) General Plan and Housing Element Annual Report (Fiscal Impact: None) -
RECEIVED AND FILED REPORT

Rubio-Watson: All Ayes

STATE OF CALIFORNIA
COUNTY OF KERN

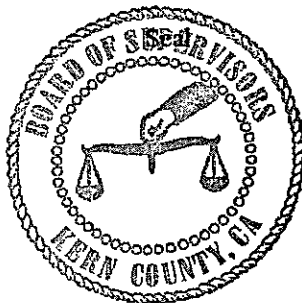
I, Kathleen Krause, Clerk of the Board of Supervisors, do hereby
certify the foregoing to be a full, true and correct copy of the original
Tracking Page - Item 12 PM on file in my office.

Witness my hand and seal of the Board of Supervisors.

This 14th day of April 20 09

KATHLEEN KRAUSE
Clerk of the Board of Supervisors

By: Judy A. Denny Deputy



4.0 Summary of General Plan Amendments

The *General Plan Annual Progress Report* review period runs from January 1, 2008, through December 31, 2008. In June 2004, the Board of Supervisors approved a comprehensive update to the Countywide General Plan. The Metropolitan Bakersfield General Plan, a joint plan with the City of Bakersfield, was last updated in 2002 and is currently undergoing a comprehensive update. That update is expected to be completed in the second half of 2009. Each of the mandatory elements of the General Plans were prepared and/or updated in full compliance with State law, the General Plan Guidelines established by the State Office of Planning and Research and the California Department of Housing and Community Development.

Kern County allows the general plans to be amended quarterly (four times per year) as provided by State law. The quarterly Windows are currently set for Board of Supervisor hearings in April, June, September and December for 2008.

Table 4.1 indicates the year each of the State mandatory General Plan Elements were last evaluated as a whole and adopted by the Kern County Board of Supervisors. In 2007, Kern County began a 5-year update to the Housing Element. That update was completed in December of 2008, and is currently being evaluated by the State Department of Housing and Community Development for final approval.

Table 4.1		
Adoption of Mandatory Plan Elements		
Kern County General Plan & Metropolitan Bakersfield General Plan		
<i>General Plan Element</i>	Kern County General Plan	Metro Bakersfield General Plan
Land Use	2004	2002
Conservation	2004	2002
Open Space	2004	2002
Circulation	2004	2002
Noise	2004	2002
Safety & Seismic Safety	2004	2002
Housing*	2008	2008
*Note - The Housing Element is utilized for both the Kern County and Metropolitan Bakersfield General Plans and is updated every (5) five years.		

5.1 Building Activity

Table 5.1 totals the number of building permits issued for residential construction during the period covered by this report. Neither the valuation of each unit nor the income level of the purchaser is readily available from the Building Inspection Division.

Table 5.1
Building Activity

Building Activity(Jan. 1, 2008 – Dec. 31, 2008)	Number of Units
Single Family Houses Detached	571
Duplexes	13
Tri and Four-plexes	31
5 or more units (apartments)	20

5.2 Low Income Housing

5.2.1 Gateway Family Apartments

In June 2007, the County approved an application for the Gateway Family Apartments Project on Rosamond Blvd in the unincorporated community of Rosamond. The project includes up to 112 multi-family units for families and seniors at income levels up to 60% of the Area Median Income (AMI). In 2008, the applicant was issued construction permits for 81 of the total 112 proposed units.

5.2.2 Lynx Realty and Management

In August, 2007, the County approved an application for the Lynx Realty and Management Project on Di Giorgio Road in the Lamont area using the California State Density Bonus Regulations. The project includes up to 320 multi-family units for families and seniors at income levels up to 60% of the AMI. The project will be built in phases. At project completion, benefits to residents will include: four 1500 sq ft community rooms with computer labs, community kitchens, meeting areas, and outdoor child play areas. In 2008, the applicant was issued construction permits for 144 of the total 320 proposed units.

5.3 Rehabilitated Units

The rehabilitation of existing units is a part of the County's goal of assuring adequate and affordable housing. The 2008-2013 Housing Element estimated 100 housing units would be rehabilitated with public assistance during the 2006-2013 period. From January 2008 to December 2008, 18 single-family residences were rehabilitated with funds issued by the County Community and Economic Development Department's Housing Rehabilitation Program. Households earning less than 80 percent of the County Median Family Income (MFI) occupied all of these units. From January 2006 to December 2008, 50 homes were rehabilitated under the County Community and Economic Development Department's Housing Rehabilitation Program.

Policy 7, page 62 of the KCGP states that in administering land use and environmental programs, the County shall not deny any individual or group the enjoyment of the use of land due to race, sex, color, religion, ethnicity, national origin, ancestry, lawful occupation or age.

Policy 8, page 62 of the KCGP states that the County shall ensure that new industrial uses and activities are sited to avoid or minimize significant hazards to human health and safety in a manner that avoids over concentrating such uses in proximity to schools and residents.

6.2 Military Lands and Collaborative Planning

The County General Plan provides guidance in policies and implementation as it relates to coordinating land use planning with the military.

Policy 1, page 8 of the Plan states that coordination and cooperation will be promoted among the County, the incorporated cities, military bases, and the various special districts where their planning decisions and actions affect more than a single jurisdiction.

Policy 4, page 8 states that the County will solicit comments and coordinate with local governments, the military, and other federal or State jurisdictions on projects which are proposed within a peripheral area established mutual agreement between the County and the jurisdiction.

Implementation Measure D, page 8 states that the County shall establish a "Review Area" around each State, military, or other federal jurisdiction. Review development proposals or proposed General Plan Amendments and revisions within the established area with the appropriate agency.

The General Plan intends to ultimately incorporate a Military Readiness Element when the OPR prepared guidelines for the formulation and implementation of military readiness elements is completed. As explained later in this report, the County is one of several jurisdictions participating in a Joint Land Use Study with OPR and the military.

6.3 Native American Tribes

The Kern County General Plan addresses the issue of consultation with Native American tribes. This is in addition to the Planning Department's implementation of SB 18 and consultation with the Tribes during processing of general plan amendments and adoption of new planning programs.

Implementation Measure N, page 67 states that the County shall develop a list of Native American organizations and individuals who desire to be notified of proposed discretionary projects. Besides the consultation request through the implementation of SB 18, the Planning Department continues to include Native American Tribes in the CEQA process as well as notification of all hearings.

Implementation Measure O, page 67 states that on a project specific basis, the Planning Department shall evaluate the necessity for the involvement of a qualified Native

9.3 Breckenridge Specific Plan

9.3.1 Land Use Element

In order to facilitate the logical extension of infrastructure, policies within the referenced plan require that all new commercial and industrial uses and residential at a density greater than one dwelling unit per six acres be served by a public sewer system. In December of 2007, the Board of Supervisors approved text changes to the Sewer Service policies to require a recommendation from the Engineering and Survey Services Department, about whether a sewer exception should be granted because of project-specific circumstances. These policy changes were implemented during the period outlined in this report.

9.4 Casa Loma Specific Plan

9.4.1 Land Use Element

In order to facilitate the logical extension of infrastructure, policies within the referenced plan require that all new commercial and industrial uses and residential at a density greater than one dwelling unit per six acres be served by a public sewer system. In December of 2007, the Board of Supervisors approved text changes to the Sewer Service policies to require a recommendation from the Engineering and Survey Services Department, about whether a sewer exception should be granted because of project-specific circumstances. These policy changes were implemented during the period outlined in this report.

10.0 General Plan Amendments

10.1 Planning Activities Initiated

The Kern County Planning Department has initiated, or is in the process of initiating, a number of projects related to the implementation of the General Plans.

Metropolitan Bakersfield General Plan - Update

The City of Bakersfield and Kern County have each adopted one common General Plan for the Metropolitan Bakersfield area. State law requires local governments to work together with other agencies in preparing and implementing their general plans. (Government Code Sections 65304 and 65400 (a)). In the case of the Metropolitan Bakersfield General Plan, where both the City and the County are responsible for coordinated planning, cooperation is paramount. The County last adopted this general plan in December 2002. However, due to population growth and the issues which come with rapid growth, both jurisdictions have begun a comprehensive review and update of this 2002 General Plan.

Specific Plans

A specific plan is a tool for the systematic implementation of the general plan, in accordance with Government Code Sections 65450-65547 which includes the requirement for the seven mandated elements.

- Land Use Element

Staff-initiated master plan for the future development and expansion of the Meadows Field Airport. The purpose of the master plan is to allow the facility to meet the growing demands of commercial, air cargo, and general aviation users. The master plan is intended to provide for the timely development of new or expanded facilities that may be required to meet those demands while providing systematic guidelines for the airport's maintenance, development, and operation over a twenty-year planning period. The master plan encompasses approximately 1,400 acres.

Housing Element

The Planning Department has prepared the 2008 Update to the Kern County Housing Element pursuant to Article 10.6, §65580 et seq., of the Government Code. The update was submitted to the State Housing and Community Development (HCD) for final approval in December of 2008.

Alternative Energy

In 2008, the Planning Department has processed or is processing, projects for alternative or renewable energy sources. Most of these applications do not require a general plan amendment but are included in this yearly report to discuss implementation of the goals and policies of the County General Plan. These applications support the goal of the Land Use Element of the County General Plan, Resource: *Encourage alternative sources of energy, such as solar and wind energy, while protecting the environment.* The County General Plan also includes an Energy Element, which promotes and facilitates energy development. Projects completed or in process, which promote alternative energy in Kern County, are listed below.

- **PdV Wind Energy Project**
The PdV Wind Energy Project has an electric generating capacity of 300-MW and is owned by Power Partners Southwest, LLC. Kern County was the Lead Agency in charge of local land use entitlement for the Wind Energy (WE) zoning. The project is located in Eastern Kern County and was approved in July 2008.
- **Alta-Oak Creek Mojave Project**
The Alta-Oak Creek Mojave Project has an electric generating capacity of 800-MW and is owned by Terra Gen. Kern County is the Lead Agency in charge of local land use entitlement for the Wind Energy (WE) zoning. The project is located in Eastern Kern County and expected to be presented before the local hearing body in January 2010.
- **Aero Energy Project**
The Aero Energy Project has an electric generating capacity of 65-MW and is owned by Aero Energy. Kern County is the Lead Agency in charge of local land use entitlement for the Wind Energy (WE) zoning. The project is located in Eastern Kern County and expected to be presented before the local hearing body in June 2009.

Kern County Dairy Program Environmental Impact Report (EIR)

The County General Plan contains policies regarding confined animal facilities, including dairies and feedlots that shall consider proximity to incorporated areas of urban development and sensitive receptors such as schools and hospitals. Environmental documentation shall analyze distances to these areas, as well as potential impacts and mitigation. Due to the number of applications for conditional use permits to allow dairy facilities received by the Planning Department, the County is preparing a comprehensive environmental evaluation of

Project	General Plan/Element	Status	Implementation of General Plan
R-IA (Resource Intensive Agriculture) to SR (Suburban Residential) (SPA#73, Map 101)	Bakersfield General Plan: LU/OS & C, and Housing Elements		for the development of a variety of residential types and densities. Provide adequate housing sites for special needs groups including farmworkers, large families, homeless persons and elderly households through appropriate zoning designations and regulations.
Soper Homes, Inc. R-IA (Resource Intensive Agriculture) to SR (Suburban Residential) (SPA#74, Map 101)	Metropolitan Bakersfield Metropolitan Bakersfield General Plan: LU/OS & C, and Housing Elements	Approved	<i>Provide adequate housing sites through appropriate land use.</i> Policies and Implementation: Allow for the development of a variety of residential types and densities. Provide adequate housing sites for special needs groups including farmworkers, large families, homeless persons and elderly households through appropriate zoning designations and regulations.

10.3 Agency- and Applicant-driven General Plan Amendments

Table 10-2 presents the entire list of 33 amendments that were requested during the period covered by this report, as well as the outcome of the hearing.

Applicant	Type	Hearing Date	Acres	Units	Action	Agricultural Land Converted
Soper Homes, Inc.	SPA#74, Map 101; from R-MP to SR	04/01/2008	71	243	approved	0
Soper Homes, Inc.	SPA#59, Map 101; from R-IA to SR	09/23/2008	79	243	approved	79
Kossie Dethloff	GPA#1, Map 50-1; from 8.3 to 6.2 and 6.2/2.5	04/01/2008	4	n/a	approved	4
Rogelio Arellano	GPA#7, Map 125-6; from RR and GC to ER	04/01/2008	7	7	approved	0
Kern County Planning Dept	GPA#2, Map 103-33; from SI to HI	04/01/2008	100	n/a	approved	0
Bakersfield Airport 116, LLC	GPA#17, Map 81; GPA#2, Map 81-35; eliminate future road reservation	06/17/2008	n/a	n/a	approved	0
Desert Construction Co.	GPA#8, Map 230-20; from 5.3 to 6.2	06/17/2008	9	n/a	approved	0
Capital Pacific Homes	SPA#65, Map 230; SPA#1, Map 231-25; eliminate future road reservation	06/17/2008	n/a	n/a	approved	0
Katherine Christman	SPA#22, Map 213; from 8.5 to 5.6 and 5.7	06/17/2008	20	3	approved	0
Kern County Planning Dept	GPA#12, Map 104-30; eliminate future road reservation	06/17/2008	n/a	n/a	approved	0
Arrendondo Ventures	SPA#77, Map 101; from R-IA to RR	09/23/2008	38	4	referred back	0
Gurvinder Jhaj	SPA#4, Map 125; from R-IA to LI	07/15/2008	5	n/a	approved	5

10.4 Major Development Applications

The following project by Tejon Ranchcorp was being processed during the period covered by this report. Located at the southern end of Kern County along Interstate 5, this project includes approximately 23,000 acres of nature reserve and approximately 5,000 acres of residential, commercial, and recreational uses. The proposed uses include up to 3,450 residences (both single family and multi-family units) and up to 160,000 square feet of commercial development. The recreational development consists of a designation resort with up to 750 lodging units.

Applicant	Case Reference	Acres	Action
Tejon Ranchcorp	GPA#1, Map 218; ZCC #1, Map 218 GPA #1, Map 218R; ZCC #1, Map 218R GPA #7, Map 219; ZCC #12, Map 219 GPA #1, Map 235; ZCC #2, Map 235 GPA #1, Map 236; ZCC #2, Map 236 GPA #10, Map 237; ZCC #43, Map 237 GPA #2, Map 237-26; ZCC #7, Map 237-26 GPA #6, Map 237-34; ZCC #22, Map 237-34 GPA #9, Map 254; ZCC #7, Map 254	5,000	On Going

11.0 Agricultural Land Conversion

Agriculture continues to be Kern County's most economically productive industry that contributes to the nation and world's needs. Similar to the Statewide trend, the County's agriculture areas are facing increasing pressure to convert productive farmland to housing, industrial, and commercial development. The Land Use, Open Space, and Conservation Elements incorporate policies and programs that recognize the importance of agriculture and the necessity to manage this resource for future use. Kern County's Williamson Act and Farmland Security Zone programs also are instrumental in conserving lands in agricultural use.

The County General Plan designates areas of irrigated cropland Intensive Agriculture. The Metropolitan Bakersfield General Plan designates areas of irrigated cropland as R-IA (Resource-Intensive Agriculture). Other resource planned land use designations protect properties for various ranching activities. The General Plans also recognize that tax and economic incentives, available markets, and water are important factors to ensuring the long-term retention of agricultural use. The continued existence of large, contiguous areas of agricultural zoning, Williamson Act and Farmland Security Zone land, and the County's adopted Right-to-Farm/Right-to-Business Resolutions and planned land use policies acknowledge agriculture's importance to the County.

There are 2,439,996 acres of prime, nonprime agricultural land, and grazing land in Kern County. Approximately one third of this land is designated Intensive Agricultural (902,423 acres is designated Map Code 8.1 and 72,845 acres is designated Map Code R-IA). During 2008, a total of 236-acres of Intensive Agricultural designated land were re-designated for non-agricultural use. As *Table 11-1* indicates, 14 acres were changed from agricultural to nonagricultural planned land use in the County General Plan and 22 acres had planned land use designation in the Metropolitan Bakersfield General Plan. No grazing lands were converted during the 2008 cycle.

Table 11-2 illustrates the number of acres of prime farmland converted to urban use. The total loss of prime agricultural lands in the unincorporated area of the County between 1998 and 2008 has been 1,727 acres. Most of the properties converted were within the Metropolitan Bakersfield General Plan, while most of the Solid Waste buff properties were within the County General Plan. Some of the Solid Waste buffer property continues to be farmed through leases to neighboring farmers. These acres have not been converted but used as buffers for County landfills from future development encroachment.

Table 11-2
Planned Land Use Designation Conversions to Non-Agricultural Use
General Plan Amendments
1998-2008

	To Urban (acres)	To Ag Resource (Acres)	To Solid Waste (acres)	Loss (acres)	Gain (acres)
1998-1999	221	413	111		81
1999-2000	23		2285	2308	
2000-2002	57	1011	119		835
2002-2003	1163		253	1416	
2003-2004	43			43	
2004-2005	87	125			37
2005-2007	119	990			871
2007-2008	14			14	
Total	1727	2539	2768	3781	1824